

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

RAYMOND STEVENS, ET AL :
 :
V. :
 :
METZO PAPER USA, INC., :
ET AL :
 :

CIV. NO. 3:07CV735 (JCH)

Discovery Ruling

During discovery, Defendant Metso Paper USA produced various documents along with a privilege log. Plaintiff requests the production of certain documents and asserts there is no legal basis for the withholding of documents 4 and 11. Upon an in camera review of documents 4 and 11 contained in the privilege log created by Metzo Paper, USA, the Court rules as follows:

Document 11 is an email dated March 9, 2006 from Charles Golec. Document number 11 is properly withheld as privileged under the attorney/client privilege.

Document 4 is an email dated October 5, 2005 from Charles Golec. A redacted version of this document has been produced to plaintiffs. Beginning with the redacted portion, the first sentence is properly withheld if the instruction originated with a lawyer; however, if this instruction came from Mr. Golec, then it is to be disclosed. The second and third sentences are properly withheld if REP is a lawyer. If REP is not a lawyer, the second sentence shall be disclosed. The fourth sentence is properly withheld if it originated with a lawyer; however, if it came from Mr. Golec then it is to be disclosed.

This is not a recommended ruling. This is a discovery

ruling and order which is reviewable pursuant to the "clearly erroneous" statutory standard of review. 28 U.S.C. § 636 (b) (1) (A); Fed. R. Civ. P. 6(a), 6(e) and 72(a); and Rule 2 of the Local Rules for United States Magistrate Judges. As such, it is an order of the Court unless reversed or modified by the district judge upon motion timely made.

ENTERED at Bridgeport this 15th day of May 2008.

/s/
 HOLLY B. FITZSIMMONS
 UNITED STATES MAGISTRATE JUDGE